

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CHAMARE H. MAYS,	:	
Petitioner,	:	
v.	:	Case No. 3:13-cv-191
WARDEN, WARREN	:	JUDGE WALTER H. RICE
CORRECTIONAL INSTITUTION	:	
Respondent.	:	

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #4) IN THEIR ENTIRETY; DISMISSING AMENDED PETITION FOR WRIT OF HABEAS CORPUS (DOC. #3) WITH PREJUDICE; JUDGMENT TO ENTER IN FAVOR OF RESPONDENT AND AGAINST PETITIONER; DENYING CERTIFICATE OF APPEALABILITY AND ANTICIPATED MOTION FOR LEAVE TO APPEAL *IN FORMA PAUPERIS*; TERMINATION ENTRY

Based on the reasoning and citations of authority set forth by United States Magistrate Judge Michael R. Merz, in his July 1, 2013, Report and Recommendations (Doc. #4), as well as upon a thorough *de novo* review of this Court's file and the applicable law, this Court ADOPTS said judicial filing in its entirety. The Court notes that no objections have been filed within the time allotted.

The Amended Petition for a Writ of Habeas Corpus (Doc. #3) is DISMISSED WITH PREJUDICE.

Given that Petitioner has not made a substantial showing of the denial of a constitutional right and, further, that the Court's decision herein would not be debatable among reasonable jurists, and because any appeal from this Court's decision would be objectively frivolous, Petitioner is denied a certificate of appealability, and is denied leave to appeal *in forma pauperis*.

Judgment will be entered in favor of Respondent and against Petitioner.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: September 17, 2013



WALTER H. RICE
UNITED STATES DISTRICT JUDGE